

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

In Re:

CARMEN INES ROSADO RAMOS

Debtor(s)

Case No: 12-00327-BKT-7

Chapter 7

**MOTION FOR REOPENING OF CASE UNDER 11 U.S.C. § 350(b)  
TO PURSUE AVOIDANCE OF LIEN**

To the Honorable Court:

COMES NOW the debtor(s), by the undersigned attorney, and very respectfully and respectfully move this Honorable Court pursuant to Section 350(b) of Title 11 of the United States Code, Rule 9024 of the Rules of Bankruptcy for the entry of an order to REOPEN this case in order to seek execution of judgment in favor of debtor(s) for the avoidance of a judicial lien over property of debtor(s), pursuant to 11 U.S.C. § 522(f), with respect to this bankruptcy proceeding:

1. Debtor(s) respectfully inform(s) this Honorable Court that a Final Order of Discharge was duly entered in this case on or about February 1, 2017 (Docket No. 118).
2. On April 5, 2017, the Honorable Court also entered order closing the case and discharging the Trustee (Docket No. 120).
3. On May 1, 2014, before the closing of this case, this Honorable Court issued Opinion and Order, hereinafter the Opinion and Order, granting Debtor's Motion to Avoid Lien Pursuant to 11 U.S.C. §522(f), which is final and unappealable. See Docket No. 106.
4. Debtor's property is still affected by the Judicial Lien in the amount of \$105,502.17 originally recorded by unsecured creditor Mr. Rafael Arnaldo Ortiz Negrón in September 2007, set aside and reinstated on or about November 15, 2011, hereinafter the Judicial Lien, which was avoided by the Opinion and Order.
5. Debtor seeks to reopen the case in order to request the execution of the judgment entered in favor of debtor, to obtain an order from This Honorable Court directed at the Property Registrar to release the lien still encumbering debtor's property.
6. Debtor filed a motion pro-se on January 30, 2019 (Docket #122), and along with it, paid the corresponding fees for the reopening of the case (Receipt Number 00445502). Nonetheless, this

Honorable Court denied the motion to reopen without prejudice for debtor's failure to provide 21-day notice required by Rule 5010 (Docket #123).

7. Under 11 U.S.C. § 350(b), a debtor may request by motion that the Court reopens a case, to accord relief to the debtor. See Rule 5010 of the Federal Rules of Bankruptcy Procedure.
8. Debtor(s) respectfully submit(s) that it would be in the interest of justice to reopen this case and allow the debtor(s) to proceed with the legal action described and debtor(s) so move the Court for such relief and for such additional relief as the Court may deem just and proper.
9. Debtor further requests this Honorable Court to take notice of the reopening fees already paid on January 30, 2019, for the reopening of the case (Receipt Number 00445502).

**Wherefore** Debtor(s) very respectfully request(s) this Honorable Court to reopen the instant bankruptcy case in order to pursue the above mentioned actions.

#### **NOTICE UNDER P.R. LBR 5010-1**

**You are hereby notified that the debtors have filed a motion for the re-opening of their Chapter 7 case. All parties in interest are given twenty-one (21) days to object or oppose, in writing, the debtors' request for case re-opening. If no oppositions are filed within that period of time, the Court may grant the present motion without further hearing.**

#### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY:** On this same date I electronically filed the foregoing document with the clerk of the Court using the CM/ECF System which will send notification of such filing to the following: The US Trustee, Monsita Lecaroz Arribas, Chapter 7 Roberto Roman Valentin, Roberto Figueroa Carrasquillo, counsel for creditor Mr. Rafael Arnaldo Ortiz Negrón, creditors and parties in interest in this case.

#### **RESPECTFULLY SUBMITTED.**

In Caguas, Puerto Rico, today, June 8, 2019.

s/ Edgardo Veguilla González  
**Edgardo Veguilla González**  
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